The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

BARBARA DANIEL, individually,

Daniel,

v.

THE BOEING COMPANY, a foreign corporation; VICKI KNIGHTON; and JOHN AND JANE DOES 1-5,

Defendants.

Case No. 2:09-CV-00890 RSL

DECLARATION OF SHERRI WILSON IN SUPPORT OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

NOTE ON MOTION CALENDAR: AUGUST 27, 2010

I, SHERRI WILSON, hereby declare and state as follows:

1. I am over eighteen years of age and competent to testify to the facts set forth in this declaration.

2. I currently work for The Boeing Company ("Boeing") as a Disability Management Representative ("DMR"). I have been a DMR for approximately almost five years, and I was the DMR assigned to the Renton Materials Management organization, where Barbara Daniel was employed, until approximately December of 2008.

3. I have personal knowledge of the information set forth in this declaration. As to information stated below of which I do not have a personal recollection, I base my testimony on records of which were made and kept by Boeing in the regular course of business at or near the time of the event.

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4. Ms. Daniel is an MPRF, and I am familiar with her job analysis, which, among other things, involves retrieving parts for the airplane mechanics from different parts of the facility. The MPRF job description requires employees with that job code to walk 3-6 hours per shift, which is defined by Boeing as "Frequently."

5. In late 2007, I received a notification from Boeing Medical that Ms. Daniel had a medical restriction of May Occasionally Walk. As is my practice, I then spoke to her supervisor and reviewed her Job Analysis, at which point I realized that she was required to walk "Frequently," which is more than "Occasionally."

6. To make sure that Ms. Daniel's job required her to walk Frequently, I requested an updated Job Analysis for Ms. Daniel from Loren Zinder, the Materials Management Vocational Rehabilitation Counsellor on December 11, 2007. Mr. Zinder completed a Job Analysis confirming that Ms. Daniel's job required Frequent walking, and Ms. Costa confirmed that Job Analysis.

7. As a result of the discrepancy between Ms. Daniel's medical restriction and her essential job fuctions, I scheduled and attended several meetings with the goal of keeping Ms. Daniel in her position as an MPRF. Other attendees at some or all of the meetings included Ms. Daniel, other employees from Disability Management, her managers, Boeing Medical, Mr. Zinder, and various union stewards.

8. In those meetings, Loren Zinder and I told Ms. Daniel repeatedly that if she didn't agree with her restrictions, she needed to follow up with Boeing Medical and her healthcare provider to clarify her medical restrictions. Although I was aware that Ms. Daniel had a medical restriction for several months, I attempted to give her ample time to get the issue resolved before putting her on light duty.

9. While Ms. Daniel never asked for any accommodation to help her do her job, Mr. Zinder and I also explored with other Boeing employees whether she could use a scooter or

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bicycle to help her retrieve parts.

10. It was determined that such an accommodation was precluded because a scooter or bicycle could not safely navigate the narrow isles in the areas where Ms. Daniel is required to retrieve parts (there is already a scooter and bicycle available to all employees to travel long distances between sites). No MPRF is allowed to use a scooter or bicycle to retrieve parts because of the facility's narrow aisles.

11. At a meeting held on June 24, 2008, Ms. Daniel was informed that as her medical restrictions still did not allow her to do the essential functions of her job, her light duty would start, and continue until she could meet her job requirements. Ms. Daniel started light duty the same day.

12. While Ms. Daniel was on light duty, I continued to schedule and attend meetings with the goal of getting her back to her regular job. It is my understanding that she was returned to work in January of 2009.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 28, 2010, at Renton, Washington

SHERRI WILSON

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CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2010, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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Dated: August 3, 2010

s/Sally Swearinger
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